



STATE OF ARIZONA
ARIZONA STATE LIQUOR BOARD
800 WEST WASHINGTON, 5TH FLOOR
PHOENIX, AZ 85007
PHONE: (602) 542-9789 FAX: 602-542-5707
Website: www.azliquor.gov
Website: www.azliquor.gov/liquor_board.asp

JANET NAPOLITANO
Governor

CYNDY VALDEZ
Board Chair

JERRY A. OLIVER SR.
Director

Arizona State Liquor Board Hearing Minutes
June 5, 2008

Members Present: Cyndy Valdez-Chair, Alan Everett-Vice Chair, Jim Carruthers, Don Jongewaard, Bill DuPont, Charles Huellmantel

Members Absent: None

Staff Present: Camila Alarcon, A.A.G., Blair Driggs, A.A.G, Elena Oursland

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on June 5, 2008 at 9:00 a.m. with Ms. Valdez presiding.

B. Roll Call

All board members are present.

C. Agenda: review, consideration and action

1. Bar Liquor License No. 06100082 - Person Transfer

FROM:
Richard Dale Benner, Sr., Agent
Taking Care of Business LLC
Taking Care of Business
4535 W. Valencia Road
Tucson, AZ 85746

TO:
Augustine Coronado, Owner
Augies
4535 W. Valencia Road
Tucson, AZ 85746

The applicant did not appear at the hearing. Assistant Attorney General Camila Alarcon appeared for the Department of Liquor Licenses and Control ("Department").

Chairwoman Valdez recused herself due to potential conflict of interest.

Motion to Approve Transfer -	DuPont
Seconded -	Carruthers
Yay -	Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	Valdez
Disposition -	Transfer Granted

2. Beer & Wine Store Liquor License No. 10075482 - Original Application

Yakou Dinkha, Agent
Discount Store LLC
Discount Store
12102 W. Thunderbird Road, Suite 1A
El Mirage, AZ 85335

The applicant and agent, Yakou Dinkha, appeared at the hearing and was accompanied by counsel, H.J. Lewkowitz, Esq. Mr. Mufeed Mustafa appeared at the hearing in support of the application. Assistant Attorney General Camila Alarcon appeared for the Department of Liquor Licenses and Control ("Department").

Motion to Approve Application - Valdez
Seconded - Everett
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Granted

3. Beer & Wine Bar Liquor License No. 07070314 - Person Transfer Application

FROM:
Francisca Patron, Agent
El Tecolote Bar Inc.
El Tecolote Bar
6162 NW Grand Avenue
Glendale, AZ 85301

TO:
Rogelio Gallegos-Castaneda, Agent
Roe's Investment LLC
El Tecolote Bar
6162 NW Grand Avenue
Glendale, AZ 85301

Attorney, H. J. Lewkowitz, Esq., appeared on behalf of the applicant. Assistant Attorney General Camila Alarcon appeared for the Department of Liquor Licenses and Control ("Department").

Motion to Approve Withdrawal - DuPont
Seconded - Carruthers
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Withdrawn

4. Liquor Store Liquor License 09100201 - Person & Location Transfer

FROM:
David John Gutierrez, Agent
Old Pueblo Wine & Spirits LLC
Lamp Post Liquors
1820 N. Oracle Road
Tucson, AZ 85705

TO:
Kim K. Kwiatkowski, Agent
Circle K Stores Inc.
Circle K Store #1798
4702 E. Speedway Blvd.
Tucson, AZ 85712

The agent, Kim Kwiatkowski, Becki Glenn and Bruce Landini, all from Circle K Stores, Inc., appeared at the hearing and were accompanied by counsel, H. J. Lewkowitz, Esq. No protestors appeared in person.

Chairwoman Valdez recused herself due to potential conflict of interest.

Motion to Approve Transfer - DuPont
Seconded - Jongewaard
Yay - Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None

Abstained -
Disposition -

Valdez
Transfer Granted

5. Restaurant Liquor License No. 12074685 - Appeal of Director's Decision & Order

Complaint No. 07A-0059-LIQ(PHX) (This item appears first on the agenda, but was delayed in the order of review while awaiting arrival of the board recorder)

Albert R. Youtsey, Jr., Agent
Youtsey LLC
Dirty Drummer
3375 E. Shea Blvd., #G
Phoenix, AZ 85028

The Agent, Albert R. Youtsey and his spouse, Debra Youtsey, appeared and were accompanied by counsel, Harvey Yee, Esq. Assistant Attorney General Tonja Shipman appeared on behalf of the State. Assistant Attorney General Camila Alarcon appeared on behalf of the Department of Liquor Licenses and Control ("Department").

Motion to Affirm Director's Decision & Order -
Seconded -
Yay -
Nay -
Abstained -
Disposition-

Huellmantel
Carruthers
Valdez, Carruthers, Jongewaard, DuPont, Huellmantel
Everett
None
Director's Decision to revoke license and enforce civil penalty of \$6,000.00, as provided in Administrative Law Judge's report, is affirmed

6. Beer & Wine Store Liquor License No. 10103495 - Original Application

Joseph Cordovana, Agent
Target Stores Inc.
Target #1863
9615 E. Old Spanish Trail
Tucson, AZ 85748

The applicant and agent, Joseph Cordovana, appeared at the hearing and was represented by counsel, Nicholas C. Gutilla, Esq. Ms. Fanaye Taye, Target's Store Manager, and Ms. Betty Karkosky, a protestor, also appeared at the hearing and were sworn and testified.

Mr. DuPont recused himself due to potential conflict of interest.

Motion to Approve Application - Everett
Seconded - Carruthers
Yay - Valdez, Everett, Carruthers, Jongewaard, Huellmantel
Nay - None
Abstained - DuPont
Disposition - Application Granted

7. Beer & Wine Store Liquor License No. 10075560 - Original Application

Randy Nations, Agent
Fresh & Easy Neighborhood Market, Inc.
Fresh & Easy Neighborhood Market
9060 W. Northern Avenue
Peoria, AZ 85345

Nicholas Guttilla, Esq., appeared with and represented the applicant's agent, Randy Nations. Mr. Al O'Donnell with Fresh & Easy Neighborhood Market, Inc., Sean Wood, the applicant's developing agent, and Oscar Mosley, a protestor, also appeared at the hearing, were sworn and testified.

Motion to Approve Application - Valdez
Seconded - Everett
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Granted

8. Beer & Wine Store Liquor License No. 10075561 - Original Application

Randy Nations, Agent
Fresh & Easy Neighborhood Market, Inc.
Fresh & Easy Neighborhood Market
SWC Cotton Lane & Greenway Road
Surprise, AZ 85379

Nicholas Guttilla, Esq., appeared with and represented the applicant's agent, Randy Nations. Mr. Al O'Donnell with Fresh & Easy Neighborhood Market, Inc. also appeared at the hearing. No registered protestors appeared at the hearing.

Motion to Approve Application - Valdez
Seconded - DuPont
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Granted

9. Bar Liquor License No. 06070325 - Person Transfer Application

FROM:	TO:
H. J. Lewkowitz, Agent	Doug G. Allen, Agent
Polly Esther's of Scottsdale LLC	Club RPM LLC
RPM Ultra Club & Lounge	RPM Ultra Club & Lounge
2040 N. Scottsdale Road	2040 N. Scottsdale Road
Scottsdale, AZ 85257	Scottsdale, AZ 85257

Attorney H.J. Lewkowitz appeared on behalf of the applicant. Senior Assistant City Attorney Paul Norman appeared on behalf of the City of Scottsdale. Ms. Connie Padian, City of Scottsdale's Chief Planning Officer, also appeared at the hearing.

Motion to Continue - DuPont
Seconded - Carruthers
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Continuation Granted until August 2008 Board

D. Recess

The Board recessed at 11:30 a.m. for lunch.
The Board was reconvened at 1:30 p.m.

10. Restaurant Liquor License No. 12083353 - Original Application

Mark Harold Evenson, Agent
Tacos Inc. LLC

Chuy's Mesquite Broiler
3505 Stockton Hill Road
Kingman, AZ 86401

The applicant and agent, Mark Evenson, and Steven Burris appeared at the hearing.

Chairwoman Valdez recused herself due to potential conflict of interest.

Motion to Approve Application - DuPont
Seconded - Jongewaard
Yay - Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - Valdez
Disposition - Application Granted

11. Wholesaler Liquor License No. 04103019 - Original Application

Edgar Distel, Agent
Croesus Limited LLC
Croesus Limited LLC
6890 N. Camino Martin, Suite 130
Marana, AZ 85741

The applicant, Edgar Distel, did not appear at the hearing. Deputy Town Attorney Jane Fairall appeared on behalf of the Town of Marana. Lt. Dale Bradshaw from Marana's Police Department also appeared at the hearing.

Motion to Deny Application - Valdez
Seconded - Huellmantel
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Denied

12. Beer & Wine Bar Liquor License No. 07074005 - Original Application

Hardeep Chadha, Agent
Havana Cigars LLC.
Havana Cigars
4225 W. Fortune Dr., Suite 110
Anthem, AZ 85086

Attorney, H. J. Lewkowitz, Esq., appeared on behalf of the applicant.

Motion to Approve Withdrawal - DuPont
Seconded - Carruthers
Yay - Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay - None
Abstained - None
Disposition - Application Withdrawn

13. Beer & Wine Store Liquor License No. 10075473 - Original Application

Cecilia Na, Agent
JJ Na Inc.
JJ Water & Ice Agua Pura
5817 S. Central Avenue
Phoenix, AZ 85040

The applicant, Cecilia Na, appeared and was sworn. Assistant City Prosecutor Robert H. Smith appeared on behalf of the City of Phoenix. Also present and sworn were Jeff Kornegay, City of Phoenix Police Department, Eric Miller, City of Phoenix Neighborhood Maintenance Specialist II, and David Barrier, City of Phoenix Bldg. Code Examiner.

Chairwoman Valdez recused herself due to potential conflict of interest.

Motion to Continue -	Everett
Seconded -	Huellmantel
Yay -	Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	Valdez
Disposition -	Continuation Granted (applicant to return with interpreter and/or counsel) for 60 days, depending on board calendar

14. Restaurant Liquor License No. 12077420 - Original Application

Salvador Figueroa Gonzalez, Agent
CGM Restaurant, Inc.
La Cazuelas Mexican & Seafood Restaurant #3
3515 W. Union Hills Drive
Glendale, AZ 85308

The applicant Salvador Gonzalez, appeared at the hearing and was sworn. Ceasar Gonzalez, the applicant's son also appeared at the hearing. Assistant City Prosecutor Kevin D. Solie appeared on behalf of the City of Phoenix.

Motion to Continue -	DuPont
Seconded -	Huellmantel
Yay -	Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	None
Disposition -	Continuation Granted (applicant to return with interpreter and/or counsel) for 60 days, depending on board calendar

15. Beer & Wine Store Liquor License 10075491 - Original Application

Ziad Yacoub Yatim, Agent
Hanna & Maryam Corporation
BSM Convenience Mart
16251 N. Cave Creek Road, #5
Phoenix, AZ 85032

The applicant, Ziad Yacoub Yatim, did not appear at the hearing. Assistant City Prosecutor Will Gonzalez appeared on behalf of the City of Phoenix. Detective Karen Hughes from the City of Phoenix Police Department and Eric Miller, City of Phoenix Neighborhood Maintenance Specialist II also appeared at the hearing.

Motion to Deny Application -	Valdez
Seconded -	Huellmantel
Yay -	Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	None
Disposition -	Application Denied

16. Beer & Wine Store Liquor License No. 10075527 - Original Application

Vivian Putrus Hannosh, Agent
VH Marketplace Inc.
Marketplace
1460 E. Bell Road
Phoenix, AZ 85022

The applicant, Vivian Putrus Hannosh, did not appear at the hearing. Assistant City Prosecutor Will Gonzalez appeared on behalf of the City of Phoenix. Detective Karen Hughes from the City of Phoenix Police Department, Eric Miller, City of Phoenix Neighborhood Maintenance Specialist II, and David Barrier, City of Phoenix Building Code Examiner, also appeared at the hearing.

Motion to Deny Application -	Valdez
Seconded -	Huellmantel
Yay -	Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	None
Disposition -	Application Denied

17. Beer & Wine Store Liquor License No. 10075566 - Original Application

Ali Rustom, Agent
Rapid In N Out LLC
Rapid In N Out
125 E. McDowell Road
Phoenix, AZ 85004

The applicant and agent, Rustom Ali appeared at the hearing. Arthur Medis and Barbara Greer also appeared in support of the application. Assistant City Prosecutor Esteban Gomez appeared on behalf of the City of Phoenix.

Motion to Approve Application -	Valdez
Seconded -	DuPont
Yay -	Valdez, Everett, Carruthers, DuPont
Nay -	Jongewaard, Huellmantel
Abstained -	None
Disposition -	Application Granted

18. Restaurant Liquor License No. 12077334 - Original Application

Li-Ling Kao, Agent
Shanghai Garden Express Inc.
Shanghai Garden Express
5030 E. Ray Road, #9
Phoenix, AZ 85044

The applicant and agent, Li-Ling Kao, did not appear at the hearing. Assistant City Prosecutor Robert H. Smith appeared on behalf of the City of Phoenix.

Motion to Deny Application -	Valdez
Seconded -	Huellmantel
Yay -	Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	None
Disposition -	Application Denied

19. Restaurant Liquor License No. 12077426 - Original Application

Peter Kwok Tang, Agent
Tang's Asian Bistro Desert Ridge LLC
Tang's Asian Bistro
20910 N. Tatum Boulevard
Phoenix, AZ 85050

The agent and applicant did not appear at the hearing. Assistant City Prosecutor Will Gonzales appeared on behalf of the City of Phoenix.

Motion to Approve Withdrawal -	Valdez
Seconded -	DuPont
Yay -	Valdez, Everett, Carruthers, Jongewaard, DuPont, Huellmantel
Nay -	None
Abstained -	None
Disposition -	Application Withdrawn

E. Call to the Public

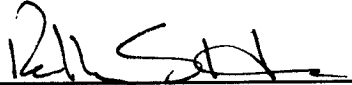
None.

F. Future Board Date

The next meeting of the Arizona State Liquor Board is scheduled for July 10, 2008 at 9:00 a.m.

G. Adjournment

The Board adjourned at 2:50 p.m.



Kelly Stetson
Administrator of the
Arizona State Liquor Board



Date